**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

RICHARD JACKSON,	)	
	)	
Plaintiff,	)	**8:06CV715**
	)	
v.	)	
	)	
ST. JAMES MANOR APTS., BILL	)	**MEMORANDUM AND ORDER**
LANG, Manager, DEB LANG, Asst	)	
Manager, MARTIN KOHL, Security	)	
Guard, KIM LEE, and LONNIE	)	
JOHNSON, Maintenance,	)	
	)	
Defendants.	)	
	)	

This matter is before the court on the plaintiff, Richard Jackson's, Motion to Appoint Counsel and Motion for a Date for Parties to Meet. (Filing No. 23).

The court cannot routinely appoint counsel in civil cases. In *Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996), the Eighth Circuit Court of Appeals explained:

> 'Indigent civil litigants do not have a constitutional or statutory right to appointed counsel.'... The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel, taking into account the factual and legal complexity of the case, the presence or absence of conflicting testimony, and the plaintiff's ability to investigate the facts and present his claim.

(Citations omitted). The plaintiff has capably presented the factual basis for the claims in this proceeding. The court finds that appointment of counsel is not necessary to enable the plaintiff to pursue those claims. Therefore, the motion for appointed counsel, is denied.

With regards to the plaintiff's request that the court set a date for the parties to meet, such a date has already been established in the court's revised scheduling order. The parties are required to meet and submit a Rule 26 joint planning report by June 25,

2007. (Filing No. 16). Therefore, the plaintiff's Motion for a Date for Parties to Meet is

denied as moot.

IT IS ORDERED:

1. That the plaintiff's Motion to Appoint Counsel and Motion for a Date for Parties
to Meet (Filing No. 23) is denied.

2. The Clerk of Court is directed to send the plaintiff a copy of this report at his last
known address.

May 7, 2007.   BY THE COURT:

                                                s/ Richard G. Kopf
                                                United States District Judge